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May 22, 2003.


Scott W. Kelley, Reg. No. 30,762

May 22, 2003
Date



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GROUP 3600

PATENT

5/6/03
J. Kelley
w/ L. Kelly

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	Group Art Unit: 3627
)	
Richard Tad Lepman)	Examiner:
)	Andrew Rudy
Serial No. 09/545,628)	
)	
Filed: April 7, 2000)	Docket No. BERK-37617
)	
For: PROCESS FOR DETERMINING)	
OBJECT LEVEL PROFITABILITY)	

RESPONSE TO RESTRICTION REQUIREMENT
AND PRELIMINARY AMENDMENT

MS: Amendment - Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to an Office Action dated April 16, 2003, in connection with the above-identified application, the following is submitted:

ELECTION OF SPECIES

Applicant elects the first species including "preparing information and calculating a fully absorbed profit adjustment value" (claim 1). Claims

BERK-37617
SN 09/545,628
RESPONSE

readable on the species are claims 1-15. Contrary to the statement to the contrary in the Office Action, independent claim 1 is generic.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.